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Brief to the Minister of Lands and Forests  
on the Drafting of a Wilderness Act 1



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ALBERTA WILDERNESS ASSOCIATION

Brief to the Minister of Lands and Forests  
on the drafting of a Wilderness Act for the  
Province of Alberta.

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The following Brief is hereby respectfully submitted to the Honorable Minister of Lands and Forests for his attention.

The purpose of this Brief is to offer to the Minister constructive criticism and advice that may be useful in the drafting of Legislation pertinent to the preservation of wilderness values in Alberta. Since the feeling prevails among the membership of the Alberta Wilderness Association that such Legislation is necessary, it is considered appropriate that an outline be made of weaknesses in the current system:

1. There is no official definition of "Wilderness". The policy statement of the Provincial Parks Division does include a definition that provides a good foundation. A satisfactory definition must be enacted as Legislation, unchangeable without formal motion of amendment on the Floor of the House.
2. Mines and minerals are, at present, given seemingly sacred priority in land use planning and management. This must be reversed in the case of designated Wilderness Areas and Provincial Parks. Also, such Wilderness designation must be based on the presence of wilderness values, not on the lack of minerals in an area. Specific examples of Legislation which must be superceded in Wilderness Areas and Provincial Parks are:
  - (a) Public Lands Act, 1966 Chapter 80. Section 32 (1) - All mines and minerals and the right to work the same are by implication and without the necessity for any express words of exception,

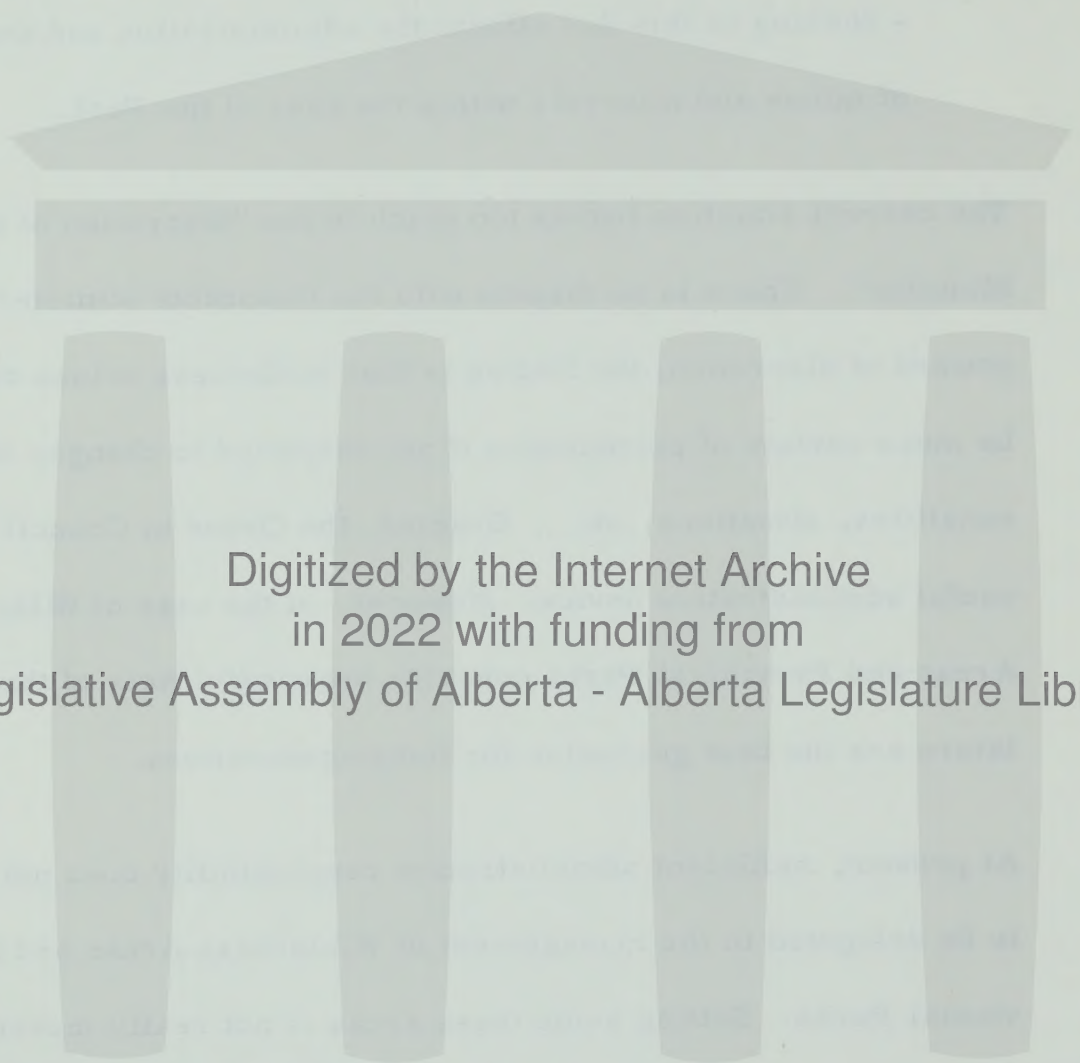




excepted from every disposition and notification made under this Act.

- (b) Willmore Wilderness Park Act, 1959 Chapter 95, Section 7
- Nothing in this Act affects the administration and control of mines and minerals within the area of the Park.

3. The current situation leaves too much to the "discretion of the Minister". There is no dispute with the Honorable Minister's powers of discretion; the feeling is that wilderness values could be more certain of permanence if not subjected to changes in personalities, situations, etc.. Granted, the Order in Council is a useful administrative device. However, in the case of Wilderness Areas and Provincial Parks concrete meaningful Acts of the Legislature are the best guarantee for future generations.
4. At present, sufficient administrative responsibility does not appear to be delegated in the management of Wilderness Areas and Provincial Parks. Setting aside these areas is not really meaningful if administration of same is left "up in the air". Forest officers, Fish & Wildlife officers, etc. have many other duties and cannot devote time to the planning, management and enforcement problems which arise in these unique recreational-use situations. The Provincial Parks Division, at the moment, seems to be ineffective, possibly due to the lack of the authority needed to perform its function.



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The preceding four points indicate problems which are basic in the preservation of those cherished values encountered in Alberta's "Great Outdoors". The Alberta Wilderness Association wishes to offer the following comments, which may help to correct these problems.

### Definition

A legislative definition of a Wilderness Area can be well prepared from various sources of reference.

To begin: A tract of undeveloped land set aside for the presentation of a natural environment, retaining its primeval character and influence, without permanent improvements or human habitation<sup>(1)</sup>. Minimum size of such tract shall be two days<sup>foot</sup> travel in the least dimension<sup>(2)</sup>, or one hundred thousand acres<sup>(3)</sup>. A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man; where man himself is a visitor who does not remain<sup>(4)</sup>.

It shall have outstanding opportunities for solitude or a primitive and unconfined type of recreation<sup>(5)</sup>. Further benefits may be scientific, educational, cultural, historical, or simply the enjoyment by people in such a manner as will leave the area unimpaired for future generations<sup>(6)</sup>.

Hunting and fishing shall be permitted, subject to the Game Act and such regulations and seasons as may be prescribed by the Fish and Wildlife Division. All mechanized transportation is strictly prohibited; also aircraft may not land.





### Footnotes

- (1) Alberta Provincial Parks Division policy statement. (Letter to David Simpson from Dr. V. A. Wood, July 5, 1968.)
- (2) A Wilderness Policy for Canada. Canadian Society of Wildlife and Fisheries Biologists, November, 1962.
- (3) Report of the Sub-Committee on Wilderness. Canadian Institute of Forestry, September, 1964.
- (4) The Wilderness Act. 88th Congress of U.S.A., September, 1964.
- (5) I bid.
- (6) Canadian Institute of Forestry. I bid.

### Priorities

This is a simple problem, whereby a very slight change of attitude on the part of our leaders could create a much more satisfactory climate in which to utilize Alberta's abundant natural resources. The fact must be recognized that scenery, wildlife, and everything else that is denoted by wilderness are natural resources. Their immediate monetary worth may not equal that of oil, coal, gypsum, timber, etc. on a gross, Province-wide basis, however, in the unique ecological situations called "wilderness", value to the people of the Province will increase rapidly as time passes.

Using petroleum as an example, it is recognized that this resource will not last forever. The Oil and Gas Conservation Board was established and



given great authority to make the petroleum resource last as long as possible. Nevertheless, its future is limited.

Wilderness as a resource, if given the opportunity and protection, could last forever because of its replaceable facility. The current mistake is the assumption that there is an unending supply of wilderness and there is no need to worry about it now. The fact is that the supply of wilderness is nearly exhausted and without serious protective measures will soon be a thing of the past. While it is a replaceable resource, it is itself that is replaced. Wilderness can only come from wilderness.

#### Legislation

It is sufficient here to reiterate the previous statement; that wilderness values can best be protected by Legislation, not by Order in Council.

#### Administration

A zoning system should be established in Alberta, whereby land-use categories could grade from the wilderness described herein, through recreational Parks, picnic areas, multiple use, rural and down to urban classification. Such a system already exists in part, but its effectiveness is questionable because of the previously mentioned lack of needed authority.

Since this Brief deals with wilderness, a suggestion is in order regarding staff and facilities to handle same.

Each Wilderness Area should be assigned a Wilderness Manager. This man must himself be very capable, not only in forestry, but in public relations





as well. He would be responsible for control of public use, from staging area for pack trips, to trails, horse grazing, camp sites, fires, etc..

The Wilderness Manager should be able to call upon a staff of biologists, ecologists, geographers, geologists, pathologists, naturalists, foresters and other professional advisors for consultation on any problems that may arise. Watershed difficulties would be minimal in headwaters zones, as long as man's activities were of a primitive nature.

### Conclusion

As a fitting wind-up to this Brief, the Alberta Wilderness Association refers to "Recommendation concerning the safeguarding of the beauty and character of landscapes and sites" by the United Nations Educational, Scientific and Cultural Organization (UNESCO), December 1962, a copy of which is included with this representation to the Honorable Minister for his interest.

This reference is made to elaborate on the need for Legislation to guarantee the protection and preservation of wilderness and all other aesthetic and recreational values, not only in Alberta, but throughout the world. If Alberta contributes its share to such guarantees, the people of Alberta and the entire world will be thankful for generations to come.





Respectfully submitted this 28 day of NOVEMBER, 1969.

ALBERTA WILDERNESS ASSOCIATION

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